

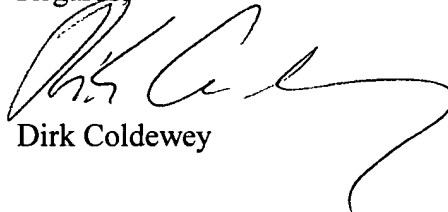
Dirk Coldewey
828 Western Drive
Santa Cruz, CA 95060

Charlema R. Grant
Petitions Attorney
Office of Petitions
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Ms. Grant,

as per our recent telephone conversation, I am enclosing two checks for \$550 each to cover the Petition To Revive Applications 09/755,754 and 09/755,286, along with revised Petitions. Thank you for your assistance and kind encouragement in this matter; it is greatly appreciated.

Regards



Dirk Coldewey

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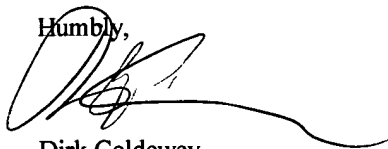
Gentle Patent Examiner,

I respectfully petition for the revival of patent application number 09/755,754 on grounds of Unintentional Delay. *The entire delay in filling the required reply from the due date for the reply until the filing of the grantable petition pursuant to 37 CFR 1.137(b) was unintentional.* The required reply to the notice, as indicated in the Notice of Abandonment sent to me on 6/16/03, was included in a previous correspondence.

I believe the unfortunate delay in the request for an abstract was likely the result of a filing error; it happened to coincide with the pending birth of my second son, a time of considerable chaos and upheaval in the Coldewey household. I am an independent inventor, with this being my first patent application (actually submitted concurrently with a related application). I mention this not as an excuse, but as an explanation – certainly responding to a request for an abstract is a simple, almost trivial task that could easily have been performed.

I beg your forbearance in this matter, and hope for a favorable response to my petition. If granted, I pledge to consult a patent attorney going forward in an effort to avoid further delays.

Humbly,



Dirk Coldewey
Aspiring Patent Holder

Adjustment date: 09/08/2003 AKELLEY
~~08/12/2003-AWONDAF1 00000141-09755754~~
01 FC:1461 -100.00 OP

09/08/2003 AKELLEY 00000019 09755754
01 FC:2453 650.00 OP

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Gentle Patent Examiner,

I respectfully petition for the revival of patent application number 09/755,286 on grounds of Unintentional Delay. *The entire delay in filling the required reply from the due date for the reply until the filing of the grantable petition pursuant to 37 CFR 1.137(b) was unintentional.* The required reply to the notice, as indicated in the Notice of Abandonment sent to me on 6/16/03, was included with a previous correspondence.

I believe the unfortunate delay in the request for an abstract was likely the result of a filing error; it happened to coincide with the pending birth of my second son, a time of considerable chaos and upheaval in the Coldewey household. I am an independent inventor, with this being my first patent application (actually submitted concurrently with a related application). I mention this not as an excuse, but as an explanation – certainly responding to a request for an abstract is a simple, almost trivial task that could easily have been performed.

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Humbly,


Dirk Coldewey

Adjustment date: 09/08/2003 AKELLEY
08/12/2003-AWONDAF1-00000140-09755286
01 FC:1461 -100.00 DP

09/08/2003 AKELLEY 00000018 09755286
01 FC:2453 650.00 DP

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Paper 4

Dirk Coldewey
828 Western Dr.
Santa Cruz, CA 95060

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DECISION ON PETITION

In re Application of
Dirk Coldewey
Application No. 09/755,754
Filed: January 3, 2001
Title of Invention: METHOD AND
APPARATUS FOR PREFETCHING
RECURSIVE DATA STRUCTURES

This is a decision on the petition under 37 CFR §1.137(b) filed August 8, 2003 to revive the above-identified application.

This petition is hereby **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) Months from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)". This is **not** a final agency action within the meaning of 5 U.S.C. §704.

This above-identified application became abandoned for failure to file a response to a Notice to file Corrected Application Papers of a Nonprovisional Application which was mailed on February 22, 2001. The Notice to File Corrected Application Papers set an extendable two (2) month period for reply. No extensions of time were obtained under the provisions of 37 CFR §1.136(a). Accordingly, this application became abandoned on April 23, 2001. A Notice of Abandonment was mailed on July 7, 2003.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03 (c)(III)(C) and (D).

The instant petition lacks item (2) and (3).

As to item (2), although applicant submitted \$100.00 with the petition, the current unintentional petition to revive fee is \$650.00. To revive this application petitioner will

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need to submit \$550.00.

As to item (3), The statement of unintentional delay presented in the petition does not comply with the current rule. Pursuant to 37 CFR 1.137(b)(3) a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" is required.

Further Correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile:

(703) 308-6916

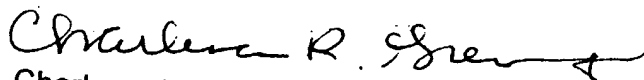
By hand:

Office of Petitions
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
Arlington, VA 22202

By delivery service:
(FedEx, UPS, DHL, etc.)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 306-0251.



Charlema R. Grant
Petitions Attorney
Office of Petitions

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